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Letter dated 9 November 2005 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

I would like to request your kind assistance in circulating as a document of the Council the resolution of the Parliament of Georgia of 11 October 2005 regarding the current situation in the conflict regions on the territory of Georgia and ongoing peace operations, annexed hereto.

(*Signed*) Revaz **Adamia**
Ambassador
Permanent Representative

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Annex to the letter dated 9 November 2005 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council*

Resolution

of the Parliament of Georgia

regarding the current situation in the conflict regions on the territory of Georgia and ongoing peace operations

The Parliament of Georgia condemns the recent developments in the conflict regions existing on the territory of Georgia (Abkhazia, and the former South Ossetian Autonomous District).

Every effort of the Georgian side, as well as of the international community to intensify the process of conflict regulation through internationally recognized democratic norms and principles to the date had not reached any tangible results. Moreover, the de facto governments in the above-mentioned regions continue to pursue a policy of open confrontation, disregarding the principles of international law and establishment of criminal regimes, instead of pursuing a course of constructive cooperation.

On the territories of Abkhazia and the former South Ossetian Autonomous District dictatorships based on the clan system and aimed at strengthening the personal power of the ruling elite and obtaining illicit income have been established.

Under the criminal and clan-based governments of these regions one can witness massive kidnapping of citizens - including children, killings, unmitigated criminal gang activity, raids and robbery of the civilian population, creation and backing of terrorist and subversive groups with the help of the Russian special services, currency counterfeiting, drug transit, trafficking of arms and people, smuggling, appropriating of assets initially belonging to the refugees, denial of the right of instruction at schools in the native language as well as of the right of IDPs and refugees to return to their homes. And all of the listed above is an incomplete record of consequences resulting from the activities of these regimes.

Furthermore, the separatist regimes continue their attempts to legitimize the results of ethnic cleansing affirmed by the Budapest, Lisbon and Istanbul Summits of the OSCE - the latest illustration of which is the *en mass* appropriation of homes of forcibly exiled Georgian population.

Clearly, the aforementioned actions have nothing in common with the protection of the ethnic rights of the population residing today on the territories of Abkhazia and the former South Ossetian Autonomous District. The criminal dictatorships currently in place pose a threat to everyone, including those they allegedly try to protect. In this regard, it is enough to mention the repressive policy of the separatist governments against those Abkhaz and Ossetian citizens who have tried to move towards public diplomacy and confidence-building – among the punished and arrested are underage children, whose only "guilt" was merely to get acquainted with Georgian kids.

Due to the existing information vacuum, repressions and anti-Georgian propaganda, the local population of both regions has no opportunity to receive and assess the information regarding the peace initiatives currently proposed by the central government of Georgia.

The fundamental rights and freedoms on the territory of Abkhazia and of the former South Ossetian Autonomous District are violated not only against internally displaced persons, but also against the

*Also circulated in document A/60/552.

remaining population. The separatist governments, manipulating issues of ethnic origins, attempt to monopolize the process of conflict regulation on behalf of their own clan-based interests, and against the fundamental interests of their population.

The question then arises – with what or whose support do separatist regimes manage to ignore the position of respectful international organizations and violate the basic norms and principles of the international law?

Regretfully, the answer to this question unambiguously indicates the role of the Russian Federation in inspiring and maintaining these conflicts, notwithstanding the fact that this country officially bears a heavy responsibility of facilitator for the conflict settlement .

Russia is a member of the Group of Friends of the UN Secretary General working on the issues of Abkhazia, Georgia, as well as an executor of the peace mission in Abkhazia under the auspices of the CIS, the Head of Quadripartite Monitoring Commission for the former Autonomous District of South Ossetia, a member of the peace mission and a participant of all agreements with respect to the conflict.

These functions are meant to create certain obligations and responsibilities for the Russian Federation within the international community. Nevertheless, the Russian Federation does nothing to promote the process of conflict settlement on the territory of Georgia – quite the contrary. Steps made by the Russian Federation presently strengthens the separatist regimes and de facto annexation of a part of Georgia's territory. Following are some examples:

- Despite the numerous protests from the Government of Georgia and an explicitly negative position of international organizations, the central government of Russia, in violation of all international norms, continues to grant Russian citizenship *en masse* to the population remaining in the conflict zones through simplified administrative procedures;

- Similarly, despite several protests from the Government of Georgia and the explicitly negative position of international organizations, the central government of Russia, under a unilateral decision, introduced a visa regime towards the conflict zones that differs from that imposed on the rest of the Georgian territory (in fact, a visa-free regime);

- In violation of the principles of international law, agreements reached in the CIS framework, and the Georgian legislation, citizens of Russia have been appointed to the high-level positions (i.e. Prime-Minister, Ministers of Defense and Law Enforcement, commanders of military units etc.) in Tskhinvali and Sukhumi – individuals who simultaneously continue to work in law enforcement and the special services of the Russian Federation;

- Without consulting or negotiating with the Georgian government, various high-level delegations of the Russian Federation, including federal delegations, frequently visit Sokhumi and Tskhinvali, conclude agreements and treaties and launch projects of a great political importance (e.g. Moscow-Sukhumi railway agreement);

A military parade dedicated to the celebration of the so-called "Independence Day" on September 20th, 2005 in Tskhinvali, during which separatists demonstrated large amount of military equipment, has become a special indignation. The very existence of this equipment is in violation of both the Sochi Agreement of 14 June of 1992 as well as of the Document on Demilitarization signed in Sochi in 2004, where, in both cases, Russia has an obligation of guarantor. The parade displayed barefaced impudence not only against the Georgian Government, but also against the international organizations involved in the conflict settlement and demilitarization processes in the region.

The Parliament of Georgia demands answer to the question: from where and how did numerous pieces of new Russian heavy military equipment appear on the territory of the former South Ossetian Autonomous District, the entire administrative perimeter of which borders only rest of Georgia and of the Russian Federation? Obviously, not from the Georgian side. This equipment, as well as the frequent military exercises, is a visible part of the hidden arms race carried out by the Russian Federation in the conflict regions of Georgia. This process is so evident that it is often covered by Russian TV channels. The parade in Tskhinvali once again demonstrated the reason why the Russian Government opposes the demand of the Georgian Government for the international community to maintain control over the Roki Tunnel connecting the Russian Federation with the Tskhinvali Region. These events once again proved that the Russian peace-keeping forces deployed in the region, neither by their format nor by ideology, do not serve the purpose of conflict resolution and demilitarization of the region.

Open political and military support enable the separatist governments to ignore the position of the international community and continue obstruction of the peace process. It is clear that the Russian Federation does not possess the political will to promote the process of conflict settlement on the Georgian territory.

Accordingly, the Parliament of Georgia declares:

An end should be put to the existence of "white spots" of democracy, of criminal enclaves and dictatorial regimes, and of violations of fundamental human rights and freedoms on the territory of Georgia.

The Parliament of Georgia deems it necessary to reach rapid progress in the process of peaceful political settlement of the conflicts existing on the territory of Georgia.

The Parliament of Georgia reaffirms that in the united Georgia the entire spectrum of rights and freedoms will be guaranteed to every Abkhaz and Ossetian citizen and the necessary conditions will be provided for the protection of their identity and development.

The Parliament of Georgia remains hopeful that the Government of the Russian Federation will be able to overcome the legacy of imperialistic political stereotypes and play active role in peaceful settlement of conflicts, thus proving that the Russian Federation has the will to be a worthy partner of the democratic community.

In view of aforementioned, the Parliament of Georgia resolves:

1. To assess the activity of and fulfillment of the current mandate by the peace-keeping forces dislocated in Abkhazia and the former South Ossetian Autonomous District as extremely negative;

2. To instruct the Government of Georgia to intensify negotiations with the Russian Federation, international organizations and interested countries on issues regarding the fulfillment of obligations undertaken by the peace-keeping forces on the territory of the former South Ossetian Autonomous District and report to the Parliament on the situation by 10 February 2006;

3. To instruct the Government of Georgia to intensify negotiations with the Russian Federation, international organizations and interested countries on issues regarding the fulfillment of obligations undertaken by peace-keeping forces on the territory of Abkhazia and report to the Parliament on the situation by 1 July 2006;

4. The Parliament of Georgia, in the event that the processes provided for in Paragraph 2 are negatively assessed and no progress is witnessed, shall demand cessation of the peace-keeping

operation on the territory of the former South Ossetian Autonomous District, as well as denunciation of the relevant international agreements and abolition of the existing structures starting from 15 February 2006;

5. The Parliament of Georgia, in the event that the processes provided for in Paragraph 3 are negatively assessed and no progress is witnessed, shall demand cessation of the peace-keeping operation on the territory of Abkhazia, as well as denunciation of the relevant international agreements and abolition of the existing structures starting from 15 July 2006;

6. To instruct the Government of Georgia, in the event of enactment of Paragraphs 4 and/or 5 of this Resolution, with the task of undertaking appropriate measures for the rapid withdrawal of the Russian peace-keeping forces, acting within their relevant mandate, from the territory of Georgia, as well as cooperating with every relevant organization in order to ensure peace and stability in the conflict zones;

7. To instruct the Ministry of Foreign Affairs of Georgia to inform international organizations and interested States about the Resolution of the Parliament of Georgia, and to intensify work aimed at seeking support for the peace initiatives of Georgia and launching new peace operations;

8. To instruct the Ministry of Internal Affairs and the office of the Prosecutor General of Georgia to prosecute foreign citizens who reside illegally on the territory of Georgia and hold political, administrative or other positions in the de facto governments of Abkhazia and former South Ossetian Autonomous District;

9. To instruct the Government of Georgia to submit by 1 December 2005 a detailed road map for the implementation of the South Ossetian conflict settlement peace plan initiated by the President of Georgia with due regard to the political, security, economic, social, legal, educational, cultural and other aspects;

10. To instruct the Government of Georgia to submit similar detailed road map for implementation of the peace plan for Abkhazian conflict by 1 May 2006;

11. The Parliament of Georgia shall start consultations with international organizations, interested States, members of civil society in Abkhazia and the former South Ossetian Autonomous District and international experts in order to elaborate and adopt relevant amendments to the Constitution, as well as other legal acts, including a law on restitution.

(signed)
Nino Burjanadze
Chair of the Parliament of Georgia

Tbilisi
11 October 2005